

Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Trelleborg Engineered Products, Inc. – Seaward Division

Facility Name: Trelleborg Engineered Products, Inc. – Seaward Division

Facility Location: Clear Brook Industrial Park
3470 Martinsburg Pike
Clear Brook, Virginia

Registration Number: 81170

Permit Number: VRO81170

June 14, 2004

Effective Date

December 15, 2006

Significant Modification Date

June 14, 2009

Expiration Date

R. Bradley Chewning

Regional Director, Valley Region

December 15, 2006

Signature Date

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Permit Conditions, 23 pages
Attachment A

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I. Facility Information

Permittee

Trelleborg Engineered Products, Inc. – Seaward Division

P.O. Box 98

Clear Brook, Virginia 22624

Responsible Official

Michael L. Harper

President

Facility

Trelleborg Engineered Products, Inc. – Seaward Division

3470 Martinsburg Pike

Clear Brook, Virginia 22624

Contact Person

Dale Baggett

Safety & Environmental Compliance Director

(540) 667-5191

County-Plant Identification Number: 51-069-0112

Facility Description:

SIC Codes 3089 (Plastic products) and 2821 (Plastic materials, synthetic resins, and nonvulcanizable elastomers)

(Equivalent to NAICS codes 326199 (All other plastics product manufacturing) and 325211 (Plastics materials and resin manufacturing))

Trelleborg Engineered Products, Inc. – Seaward Division manufactures specialty products such as foam-filled marine fenders and flotation products for the marine industry. Additionally, Technical Urethanes, a subsidiary of Trelleborg Engineered Products, Inc., formulates proprietary urethane coatings of which a portion is used in-house and the remainder is sold as separate product lines.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Spray Booths – Areas 1, 2, and 3							
1	A & B	Large spray booth (1974)	138 gal/hr	Columbus Industries SUPRA I overspray filters	CD1 & CD2	PM	-
2	C & D	Small spray booth (1975)	138 gal/hr	Columbus Industries SUPRA I overspray filters	CD3 & CD4	PM	-
3	E	Technical urethanes spray booth (1979)	108 gal/hr	Columbus Industries SUPRA I overspray filters	CD5	PM	-
Elastomers Technology Division – Area 5							
4	General bldg vent	Blue mixing machine	360 gal/hr	-	-	-	-
6	ZZ	Littleford mixer	50 gal	-	-	-	-
7	General bldg vent	Ross mixer	4 gal	-	-	-	-
19	General bldg vent	Ross mixer	10 gal	-	-	-	-
20	General bldg vent	Holding tank	500 gal	-	-	-	-

21	General bldg vent	Mixing tank	500 gal	-	-	-	-
51	CCC	Ross mixer	4 gal	-	-	-	-
52	General bldg vent	Littleford mixer	200 gal	-	-	-	-
53 – 56	General bldg vent	Curing ovens	Electric	-	-	-	-
57	General bldg vent	Sandblasting cabinet	-	-	-	-	-
58	General bldg vent	Storage tank	500 gal	-	-	-	-
Outdoor Storage Tanks - Area 6							
29 & 30	R & S	Solvent storage tanks (ethyl acetate) (1986)	4000 gal. each	-	-	-	-
31	T	Distillate oil storage tank	20,000 gal	-	-	-	-
Sandblasting – Area 7							
50	Fugitive	Columbia C. Co. ER 114231 & Lehigh 1686 sandblasting	-	-	-	-	
Chemicals Production Department – Area 8							
9	H	Perry “A” side reactor tank	1000 gal	-	-	-	-
10	H	RAS “A” side reactor tank	500 gal	-	-	-	-
11	H	RAS “A” side reactor tank	100 gal	-	-	-	-
12	H	Horseburgh & Scott “A” side holding tank	1500 gal	-	-	-	-

13	J	Ethacure “B” side mixing tank	500 gal	-	-	-	-
15	H	“B” side holding tank	1000 gal	-	-	-	-
16	H	Ethyl Acetate flush tank	100 gal	-	-	-	-
17 & 18	M	Raw material transfer	5-gal pails and 55-gal drums	-	-	-	-
32 & 33	V	Feed stock storage tanks	4000 gal each	-	-	-	-
34	V	Feed stock storage tank	8000 gal	-	-	-	-
35	U	Feed stock storage tank	4000 gal (850 gal stored at any one time)	-	-	-	-
Foam Fabrication / Finishing - Area 12							
8	General bldg vent	Gusmer Model VH-3000 casting machine	240 gal/hr				
28	General bldg vent	Adhesive application area	1.0 gal/hr	-	-	-	-

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Process Equipment Requirements – Areas 1 – 3: Spray Booths 1, 2, and 3 (1 – 3)

A. Limitations

1. Particulate matter emissions from the spray booths shall be controlled by dry paint filters. The filters shall be provided with adequate access for inspection.
(9 VAC 5-80-110)
2. Visible emissions from the spray booth stacks shall not exceed twenty (20) percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity.
(9 VAC 5-50-80 and 9 VAC 5-80-110)

B. Monitoring

1. The dry paint filters shall be equipped with a device to continuously measure the differential pressure drop across the filter. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times.
(9 VAC 5-80-110)
2. The permittee shall perform inspections of the spray booths each day of spray booth operation. The inspections shall include a check of correct filter placement, filter condition, and observation of the pressure drop across the dry paint filters.
(9 VAC 5-80-110)

C. Recordkeeping

The permittee shall maintain a spray booth inspection log including the date and time of the inspections and filter replacement, the pressure drop across the dry paint filter, and any necessary corrective action. The content of and format of such records shall be arranged with the Director, Valley Region.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110)

D. Testing

If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
Visible Emissions	EPA Method 9

(9 VAC 5-80-110)

IV. Process Equipment Requirements – Solvent Storage Tanks (Tanks 29 & 30 – Area 6; Tanks 32, 33, 34, & 35 – Area 8)

A. Limitations

The following limitations do not apply to a tank if it is storing volatile organic compounds (VOCs) having a vapor pressure less than 1.5 pounds per square inch absolute under actual storage conditions or, in the case of filling, under actual filling conditions.

1. Each storage tank (29, 30, 32 – 35) shall be equipped with a control method that will remove, destroy, or prevent the discharge into the atmosphere of at least 60% by weight of VOC emissions during the filling of the tanks. This standard may be achieved as indicated in Condition IV.A.2.
(9 VAC 5-80-110 and 9 VAC 5-40-3430 A)
2. Each storage tank (29, 30, 32 – 35) shall be designed and equipped to accommodate filling through the use of a submerged fill pipe.
(9 VAC 5-80-110 and 9 VAC 5-40-3440 A.1)

B. Monitoring and Recordkeeping

The permittee shall maintain records necessary to demonstrate compliance with the permit. The content and format of the records shall be arranged with the Director, Valley Region. The records shall include but are not limited to:

- a. List showing the name of the VOC stored in each tank and its vapor pressure in pounds per square inch under actual storage and filling conditions; and
- b. For each tank storing a VOC having a vapor pressure equal to or greater than 1.5 pounds per square inch absolute under actual storage or filling conditions, certification of submerged fill pipe.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110)

V. Process Area Requirements – Sandblasting (Area 7)

A. Limitations

1. Sandblasting shall be performed in a building enclosure to prevent fugitive particulate matter emissions during sandblasting operations.
(9 VAC 5-50-50 and 9 VAC 5-80-110)
2. At a minimum of once each month during which sandblasting occurs, or sooner if needed, the permittee shall remove and contain sandblasting material from outdoor surfaces to prevent fugitive particulate matter emissions.
(9 VAC 5-50-50 and 9 VAC 5-80-110)
3. Visible emissions shall not exceed twenty (20) percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity.
(9 VAC 5-50-80 and 9 VAC 5-80-110)

B. Monitoring and Recordkeeping

1. The permittee shall perform an inspection of the sandblasting operation each day of sandblasting operation. The daily inspections shall include a visual inspection of containment measures to ensure proper placement and effectiveness.
(9 VAC 5-80-110)
2. The permittee shall maintain a sandblasting inspection log including the date and time of monthly or as needed sandblasting material removal, the date and time of daily sandblasting inspections, findings of the inspection, and any necessary corrective action. The content of and format of such records shall be arranged with the Director, Valley Region. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110)

C. Testing

If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
Visible Emissions	EPA Method 9

(9 VAC 5-80-110)

VI. Facility Wide Conditions - Hazardous Air Pollutants

A. Limitation

Hazardous air pollutant (HAP) emissions, as defined by §112(b) of the Clean Air Act, from the facility shall not exceed 9.00 tons per year of any individual HAP or 18.50 tons per year of any combination of HAPs. HAPs which are not accompanied by a specific CAS number (as listed in Attachment A) shall be calculated as the sum of all compounds containing the named chemical when determining compliance with the individual HAP emissions limitation of 9.00 tons per year. Emissions shall be calculated as follows:

- a. For the period December 1, 2006 through November 30, 2007, facility wide HAP emissions from all sources shall be calculated monthly and summed for the period.
- b. Beginning December 1, 2007, facility wide HAP emissions shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-110)

B. Monitoring and Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with the emission limit in Condition VI.A of this permit. The content and format of such records shall be arranged with the Director, Valley Region. These records shall include, but are not limited to:

- a. For the period December 1, 2006 through November 30, 2007, the throughput (in tons) of each HAP-containing material used at the facility calculated monthly and summed for the period. This includes, but is not limited to, materials used in all manufacturing processes, fuel burning equipment and miscellaneous sources such as insignificant emission units and maintenance, repair, and construction activities (coatings, adhesives, lubricants, etc.).
- b. Beginning December 1, 2007, the monthly and annual throughput (in tons) of each HAP-containing material used at the facility. This includes, but is not limited to, materials used in all manufacturing processes, fuel burning equipment and miscellaneous sources such as insignificant emission units and maintenance, repair, and construction activities (coatings, adhesives, lubricants, etc.). Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period.
- c. For the period December 1, 2006 through November 30, 2007, the individual and total HAP emissions (in tons) from the facility calculated monthly and summed for the period. This includes, but is not limited to, materials used in all manufacturing

processes, fuel burning equipment and miscellaneous sources such as insignificant emission units and maintenance, repair, and construction activities (coatings, adhesives, lubricants, etc.).

- d. Beginning December 1, 2007, the monthly and annual individual and total HAP emissions (in tons) from the facility. This includes, but is not limited to, materials used in all manufacturing processes, fuel burning equipment and miscellaneous sources such as insignificant emission units and maintenance, repair, and construction activities (coatings, adhesives, lubricants, etc.). Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110)

C. Reporting

A semiannual report for the preceding six-month period containing the following information to determine compliance with the individual and total HAP emission limits established in Condition VI.A shall be submitted to the Director, Valley Region, no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include, at a minimum:

- a. For the period December 1, 2006 through November 30, 2007, the monthly and period sum throughput (in tons) of each HAP-containing material used at the facility.
- b. Beginning December 1, 2007, monthly and annual throughput (in tons) of each HAP-containing material used at the facility.
- c. For the period December 1, 2006 through November 30, 2007, the monthly and period sum individual and total HAP emissions (in tons) from the facility.
- d. Beginning December 1, 2007, monthly and annual individual and total HAP emissions (in tons) from the facility.

The information listed above may be included in the reports required in Condition IX.C.3.

(9 VAC 5-80-110)

VII. Insignificant Emission Units

The following emission units at the facility have been identified as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
36	Hazardous waste area fuel oil tank (275 gal)	9 VAC 5-80-720 B	VOC	
37	Flexaire Furnace Model SDF-50-02SHRH	9 VAC 5-80-720 C		0.625 MMBtu/hr
38	Flexaire Furnace Model SDF-150-OMF8-R	9 VAC 5-80-720 B	SO ₂ , NO _x	
39	Lennox Industries Model OS12-155	9 VAC 5-80-720 C		0.125 MMBtu/hr
40	Lennox Oil Heater	9 VAC 5-80-720 C		0.125 MMBtu/hr
41	Regnor ITT Unit Heater	9 VAC 5-80-720 C		0.230 MMBtu/hr
42	Model NTL 196B47 Burner A	9 VAC 5-80-720 C		0.245 MMBtu/hr
43	Flexaire Furnace Model SDF-175-DSMH	9 VAC 5-80-720 B	SO ₂ , NO _x	
44 – 49	Reflect-O-Ray Model 2570-115-08	9 VAC 5-80-720 C		0.125 MMBtu/hr each
59	Large Helical Winding Machine	9 VAC 5-80-720 B	SO ₂ , NO _x	
60	Small Foam Laminator Machine	9 VAC 5-80-720 B	SO ₂ , NO _x	

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VIII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 63 Subpart HHHHH	Miscellaneous Coating Manufacturing NESHAP	The products of the Chemical Production Department (resins and Components A and B) do not meet the definition of “coating” as defined in 40 CFR 63.8105. The mixing at the spray booths is considered part of “affiliated operations” under 40 CFR 63 Subparts MMMM and PPPP. According to 40 CFR 63.7985(d)(2), the requirements for miscellaneous coatings manufacturing sources in Subpart HHHHH do not apply to the affiliated operations located at an affected source under Subpart MMMM.
40 CFR 63 Subpart EEEE	Organic Liquid Distribution NESHAP	The exclusion at 40 CFR 63.2338(c)(1) and (2) applies, since the Chemical Production Department storage tanks and equipment leak components are part of the affected source under 40 CFR 63 Subpart FFFF and are subject to the control requirements of that MACT.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

IX. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Valley Region within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Valley Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Valley Region.

(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit

termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.

(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating

scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1. (9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

- b. The permitted facility was at the time being properly operated.

- c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

- d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any

steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

- e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
- f. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40

CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

X. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

A. Limitation

Emissions from the plastics specialty engineered products manufacturing facility shall not exceed the limit specified below:

<u>Pollutant</u>	<u>CAS #</u>	<u>Annual Limit</u>
2,4- Toluene diisocyanate (TDI)	584-84-9	0.00522 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period.

(9 VAC 5-60-320, 9 VAC 5-80-110 N, 9 VAC 5-80-850 and Condition 9 of 12/05/06 permit)

B. Recordkeeping

The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Valley Regional Office. These records shall include, but are not limited to, annual TDI emissions (in pounds). These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 N, 9 VAC 5-80-900, 9 VAC 5-50-50 and Condition 10 of 12/05/06 permit)